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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT EXAMINING OPERATION

APPLICATION NO. 09/654,949

FILING DATE: SEPTEMBER 1, 2000

ATTN'Y DOCKET NO.: ETS-TCA

APPLICATION OF:



PETER BRITTINGHAM, MARY E. MORLEY, MARK K. SINGLEY, MARK G. ZELMAN, KRISHNA N. JHA, JAMES H. FIFE, ROBERT L. RARICH, IRVIN R. KATZ, RANDY E. BENNETT

FOR:

COMPUTER-BASED TEST-ITEM GENERATION AND CLONING

TRANSMITTAL LETTER

December 19, 2000

Attention: Box Missing Parts
Commissioner of Patents & Trademarks
Washington, D.C. 20231

Sir:

In response to the "NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION - filed under 37 CFR 1.53(b) - *Filing
Date Granted*", mailed October 20, 2000, for the above-captioned
patent application, enclosed please find the following:

1. Part 2 of said Notice;
2. DECLARATION FOR UTILITY OR DESIGN PATENT
3. VERIFIED STATEMENT BY NON-PROFIT ORGANIZATION
APPLICATION (Six (6) Sheets);
CLAIMING SMALL ENTITY STATUS, 37 C.F.R. §§ 1.9(f) and 1.27(d);
and
4. Copy of FILING RECEIPT.

Applicants herewith petition the Commissioner of Patents and
Trademarks to extend the time for response to the NOTICE, if

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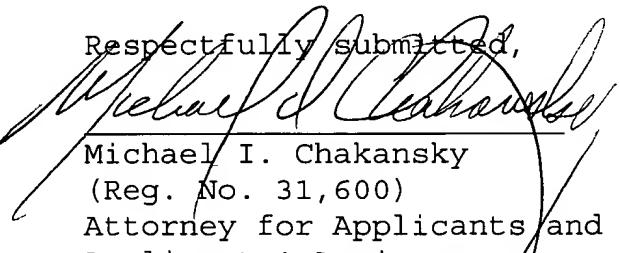
necessary, to permit a timely response.

Please note that the FILING RECEIPT has an error in the Title, the correct title of the application as filed is "Computer-Based Test-Item Generation and Cloning." Please issue a corrected filing receipt.

Applicants believe that they are entitled to receive small entity fee treatment for this matter. Nevertheless, applicants will pay whatever fee the PTO determines to be necessitated by the situation and reserve the right to request a refund.

The Commissioner is authorized to charge the surcharge fee of \$65 (set forth in 37 C.F.R. 1.16(e)) and all other fees associated with this communication, the papers filed herewith or said application or credit any overpayment to Educational Testing Service's deposit account number 05-0426.¹

Respectfully submitted,


Michael I. Chakansky
(Reg. No. 31,600)
Attorney for Applicants and
Applicants' Assignees
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¹ In an overabundance of caution, even though I have been told that I am authorized to charge ETS's deposit account and that there are more than sufficient funds available, if there is any problem with obtaining the necessary funds from ETS's account, the Commissioner is also authorized to charge any fees associated with this communication or the papers filed herewith to Sills Cummis' deposit account number 03-1250.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/654,949	09/01/2000	Peter Brittingham	ETS-TCA

FORMALITIES LETTER

Michael I Chakansky Esq
Sills Cummis Radin Tischman Epstein & Gross P C
One Riverfront Plaza
Newark, NJ 07102



OC00000005490000

Date Mailed: 10/20/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

• **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

E. B.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/22/2000 GTEFFERA 00000100 050426 09054949

01 FC:205 65.00 CH

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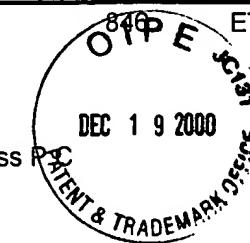


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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/654,949	09/01/2000	2171		846 ETS-TCA	118	20	5

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FILING RECEIPT



OC00000005489999

Date Mailed: 10/20/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Peter Brittingham, Residence Not Provided;
Mary E. Morley, Residence Not Provided;
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Irvin R. Katz, Residence Not Provided;
Randy E. Bennett, Residence Not Provided;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/152,121 09/01/1999

Foreign Applications

If Required, Foreign Filing License Granted 10/19/2000

Title

Computer-based item generation

Preliminary Class

707

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